

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	\$	DEMAND		JUDGE	JURY	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR							OTHER	NUMBER				DEM.
1085/4	76	0612	12	8	76	3	720	1						8510		76	0612-B

PLAINTIFFS	DEFENDANTS
MIDCON FABRICATORS, INC.	INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORDERS AND HELPERS LOCAL 592, a Labor Organization; CHARLES SHAVER, individually and in capacity as Business Representative for Boilermaker Local 592; J. W. COOLEY, individually and in capacity as Business Representative for Boilermaker Local 592; JACK RHODES, individually and in capacity as Steward for Boilermaker Local 592; GEORGE E. BOONE, individually and in capacity as Committeeman for Boilermaker Local 592
CAUSE	

301 complaint for damages; Sec. 2(2) & 301 of the Labor Management Relations Act of 1947 29 U.S.C. 152(2) & 29 U.S.C. Sec. 151, respectively

Richard L. Barnes Frank B. Wolfe III Lynn Paul Mattson Kothe, Nichols & Wolfe, Inc. 124 East 4th Street Tulsa, Okla. 74103 584-5182	ATTORNEYS	Robert S. Farris Phil Frazier (all defts.) 1424 Terrace Drive Tulsa, Oklahoma 939-2445
-------------------------------------------------------------------------------------------------------------------------------------------------------	-----------	--------------------------------------------------------------------------------------------------------

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	1-1-77
				JS-6	1-1-78

DATE	NR.	PROCEEDINGS	
12-8-76	1.	Complaint, filed. Summons issued. hm	
12-15		Return on USM Service of Summons and Complaint, filed. Served Jack Rhodes by serving Midcon Fabricators, Inc. at Port of Catoosa, J. W. Cooley (James), Charles Shaver, at Tulsa, Okla, Inter. Brotherhood of Boilermakers, Local 592 by serving Charles Shaver at Tulsa, and George E. Boone by serving Barbara Boone (wife) at Tulsa on 12-13-76 with fees of \$29.04.s	
1977			
1-6	2.	Defts' application to file out-of-time mot. to dismiss and brief in support, filed.s 0 to J	
1-6-77	3.	Motion of pltf. for leave to depose, filed. rm (o as part to J)	
1-7		Order, as part of appl. filed, granting pltf. leave to depose. (AEB-J)k	cps
1-7	4.	Order, filed, granting defts. permission to file their Mot. to Dismiss and Brief in Support of Mot. to Dismiss out of time.s (AEB-J) cps. mld.	mld
1-7	5.	Defts. motion to dismiss, filed.s	
1-7	6.	Brief in support of defts. mot. to dismiss, filed.s	
1-10	MO	It is ordered by the Court that the Plaintiff file a responsive brief within 10 days to defts. mot. to dismiss.s (AEB-J) cps. mld.	
1-19	7.	Pltf's response to deft's motion to dismiss and brief in support thereof, filed.s	
5-11	MO:	Case referred to Magistrate Robert S. Rizley for Findings and Recommendations on all motions, (AEB-J)jj	
6-8	MO	Case set for hrg. before Mag. on deft's motion to dismiss on 6-24-77 at 2:30 p.m. (RSR-Mag)k ntc by KT	
6-24	Min	Case called for hrg. on deft's mot. to dismiss. Parties represented. Leave granted to file pltf's exhibit 1 in support of deft's mot. to dismiss. Leave granted to withdraw mot. to dismiss. Deft. granted 30 days to file additional pleadings. (RSR-Mag)k	
9-28	8	Defts. mot. to dismiss w/brief incorporated. fld. ho	
9-28	MO	It is ordered that the Pltf. is granted 10 days to file a responsive brief to Defts. mot. to dismiss. (AEB-J) cps mld. ho	
10-4	9.	Pltf's appl. to respond to defts' mot. to dismiss by 10-18-77, fld.k O	
10-5	10.	Order, filed, granting pltf. until 10-18-77 to respond to defts' mot. to dismiss. (AEB-J)k cps mld to movant	
10-5-77	MO:	Case is set for hearing on defts' motion to dismiss before Mag. R. Rizley on 10-21-77, at 9:30 A.M. (RSR-Mag) b nts by NS	
10-17	MO	Upon request of the deft. and with the consent of the pltf., it is ordered that the hrg. on defts' mot. to dismiss set for 10-21-77 at 9:30 a.m. is hereby stricken and reset on the 11-10-77 docket. (RSR-Mag)k ntc by KT by phone	
10-18	11	Pltf. response to Defts. mot. to dismiss. fld. ho	
10-28	MO	Case set for hrg. before Mag. on defts' mot. to dismiss on 11-10-77 at 9:30 a.m. (RSR-Mag)k ntc by KT	
11-10	Min	Case called for hrg. before the Mag. on defts' mot. to dismiss. Parties represented. Notice given to parties that mot. to dismiss will be treated as a mot. for S/J and parties directed to proceed in conformity with Rule 56 FRCP. Hrg. continued until 1-27-78 during which time parties are to complete discovery in connection with defts' motion. (RSR-Mag)k	
12-8	12	Stipulation of dismissal, fld. & entered. ho	